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Via ECF

Honorable Edgardo Ramos, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Courtroom 619
New York, NY 10007

Re: Hunter v. Palisades Acquisition XVI, LLC, et al.
Case No. 1:16-cv-8779 (ER)

Dear Judge Ramos:

This firm represents the defendants, Harvey Sharinn, Sharinn & Lipshie, P.C., and Palisades Acquisition XVI, LLC in the above matter. We write to the Court to request an interim stay of discovery (and/or to renew the request for a stay made by predecessor counsel in Docket Entry No. 33) as to all parties, or at a minimum, as to defendant Palisades Acquisition, pending the Court's determination of Palisades Acquisition's motion to dismiss.

As the Court is aware, Palisades Acquisition moved to dismiss the complaint and/or strike portions of the complaint. That motion is currently *sub judice*. Since the motion was filed in March 2017, Plaintiff and Defendants have pursued only minimal discovery, however, Plaintiff's counsel is now looking to proceed with full blown document discovery and party depositions. There is no court-ordered discovery cut-off date and we were operating under the belief that full blown merits discovery would commence after the Court decided the motion and determine what claims and which defendants would still be in the case.

As this case is a simple individual FDCPA case with no discovery schedule in place, it appears that the current attempt by Plaintiff's counsel to now move ahead with discovery is meant solely to force defendants to expend money on litigation costs. This is a case with very limited FDCPA damages but with attorney's fee shifting provisions. We conferred with Plaintiff's counsel (Ahmad Keshavarz, Esq.) today by phone and we were unable to secure his consent to a stay of discovery.

We thank the Court for its consideration.

Very truly yours,

Kaufman Dolowich & Voluck, LLP

By: 

Brett A. Scher, Esq.

cc: All Counsel of Record via ECF
4817-1452-8340, v. 1